



MEMORANDUM

Agenda Item No. 8(M)(4)


TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution designating a portion of
Miami-Dade County owned property
identified as Parcel 5 as public road
right-of-way for the People's
Transportation Plan (PTP) Project
entitled improvements to SW 264
Street, from US 1 (SR 5) to SW 137
Avenue, in Section 27, Township 56
South, Range 39 East

The accompanying resolution was prepared by the Public Works & Waste Management and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney


RAC/cp

Memorandum



Date: February 7, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Designating a Portion of Miami Dade County Owned Property Identified as Parcel 5 as Public Road Right-of-Way for the People's Transportation Plan (PTP) Project Entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue in Section 27, Township 56 South, Range 39 East
Commission District 9

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating a portion of Miami-Dade County (County) owned property identified as Parcel 5 as public road right-of-way. Said parcel is required for road widening, beautification, and right-of-way improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue. Proceeds from future Charter County Transportation Surtax (Surtax) bond sales will be used to fund this project, therefore, review by the Citizens' Independent Transportation Trust (CITT) is required before final approval by the BCC.

SCOPE

The impact of this project is Countywide; however, it is located within Commission District 9.

FISCAL IMPACT/FUNDING SOURCE

The total cost of the project (inclusive of design, construction and right-of-way acquisition of all parcels) is estimated at \$5,250,000 and will be funded by the Surtax. Once the project is completed, annual maintenance and operational costs of approximately \$15,830 and \$7,073 respectively are anticipated.

TRACK RECORD/MONITOR

Public Works and Waste Management (PWWM) is the entity overseeing this project and the person responsible for monitoring is Mr. Raul A. Pino, PLS, Chief, Land Development/Right-of-Way Division.

DELEGATED AUTHORITY

In accordance with Section 2-8.3 of the County Code related to identifying delegation of BCC authority, there are no authorities beyond those specified in the resolution.

BACKGROUND

This Resolution is for the designation as public road right-of-way a portion of County owned property identified as Parcel 5. It is one of a total 16 separate parcels necessary for programmed improvements along SW 264 Street, between US 1 (SR 5) and SW 137 Avenue. This project consists of the widening of the existing roadway to a 2-lane divided highway with raised landscaped median, bike lanes, on-street parking, sidewalks, curb and gutters, a continuous storm drainage system, signalization, pavement markings, signage, and decorative lighting. It will also provide a safe drop off for students at an elementary school.

Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
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The area to be designated as road right-of-way is described in Exhibit "B" and illustrated on the parcel map in Exhibit "A", both attached herewith. Construction of this project is scheduled to begin in January 2012 and be completed by January 2013.

The parent tract for Parcel 5 is under the jurisdiction of the Internal Services Department (ISD). The Directors of ISD and PWWM agree upon the public benefits to be derived from the designation of portions of Parcel 5 for public road right-of-way purposes.



County Manager/ Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2012


FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(M)(4)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M) (4)
2-7-12

RESOLUTION NO. _____

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY IDENTIFIED AS PARCEL 5 AS PUBLIC ROAD RIGHT-OF-WAY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED IMPROVEMENTS TO SW 264 STREET, FROM US 1 (SR 5) TO SW 137 AVENUE, IN SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST

WHEREAS, the Directors of the Departments of Public Works and Waste Management and Internal Services have recommended that a portion of County-owned land identified as Parcel 5 be designated as public road right-of-way to be used for the People's Transportation Plan (PTP) project entitled "Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue" at the intersection of SW 264 Street and SW 139 Court as shown on Exhibits "A" and "B", and the County Mayor has concurred in said recommendation as outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby designates and declares the following described lands at the intersections of SW 264 Street and SW 139 Court, owned by Miami-Dade County, as public road right-of-way, as set forth in the accompanying memorandum from the County Mayor:

See Exhibits "A" and "B" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

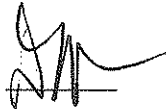
The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of February, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Debra Herman



Exhibit "B"

**LEGAL DESCRIPTION
(Right-of-Way Designation)**

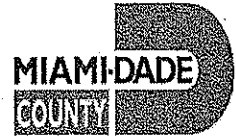
The South 40.00 feet and the East 25.00 feet of the following described parcel of land;
The South 325.00 feet of the East 200.00 feet of the West 1/2 of the East 1/2 of the
Southwest 1/4 of the Southeast 1/4 of Section 27, Township 56 South, Range 39 East,
Miami-Dade County, Florida,

AND

The external area formed by a 25.00 foot radius arc, concave to the Northwest, tangent to
the North line of the South 40.00 feet of the Southeast 1/4 of said Section 27 and tangent
to the West line of the East 25.00 feet of the West 1/2 of the East 1/2 of the Southwest
1/4 of the Southeast 1/4 of said Section 27.



Memorandum



To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *Charles Scurr*

Date: January 4, 2012

Re: **CITT AGENDA ITEM 5C:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), DESIGNATE A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY IDENTIFIED AS PARCEL 5 AS PUBLIC ROAD RIGHT-OF-WAY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED IMPROVEMENTS TO SW 264 STREET, FROM US 1 (SR 5) TO SW 137 AVENUE, IN SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST, COMMISSION DISTRICT 9 (**PWWM – BCC Legislative File No.112475**)

On January 4, 2012, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-003. The vote was as follows:

Hon. Linda Zilber, Chairperson – Aye
Paul J. Schwiep, Esq., 1st Vice Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
David Concepcion – Absent
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Marilyn Smith – Absent

Harold Braynon, Jr. – Aye
Joseph Curbelo – Absent
Peter L. Forrest – Aye
Miles E. Moss, P.E. – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Alexander Bokor, Assistant County Attorney